

FILED

FEB 26 2020

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

STEVEN YOUNG,
Plaintiff,

v.

DANIEL CANCELLA, et al.,
Defendants.

Case No. 18-cv-01931-DMR

VERDICT FORM

1. Has Steven Young proven that Daniel Cancilla attempted to conduct a pat down search of his person without reasonable suspicion to do so?

Yes ☒

No ☐

If you answered "no" to Question 1, proceed directly to Question 2. If you answered "yes" to Question 1, answer all of the following Special Questions i-xi before proceeding to Question 2. In answering Special Questions i-xi, you must base your answers solely on what Mr. Cancilla knew or believed at the time he first attempted to pat down Mr. Young on May 2, 2017. Do not consider anything that Mr. Cancilla learned after that time.

i. Did Mr. Cancilla reasonably believe that the neighborhood around 2250 Menalto Avenue was a high crime area? Yes ☒ No ☐

ii. Did Mr. Cancilla reasonably believe that drug sales had occurred at 2250 Menalto Avenue in the past? Yes ☒ No ☐

iii. Did Mr. Cancilla reasonably believe that Mr. Young had sold drugs at 2250 Menalto Avenue in the past? Yes ☒ No ☐

iv. Did Mr. Cancilla reasonably believe that Mr. Young could be involved in drug sales at 2250 Menalto Avenue on that day? Yes ☒ No ☐

v. Did Mr. Cancilla reasonably suspect that Mr. Young could have weapons concealed on his person? Yes ☒ No ☐

- 1 vi. Did Mr. Cancilla reasonably believe that Mr. Young had a razor in his hand?
2 Yes ☒ No ☐
- 3 vii. Did Mr. Cancilla reasonably believe that Mr. Young could use the razor as a weapon
4 against him or others? Yes ☐ No ☒
- 5 viii. Did Mr. Cancilla reasonably believe that Mr. Young could be physically aggressive
6 toward him? Yes ☐ No ☒
- 7 ix. Did Mr. Cancilla reasonably believe that Mr. Young appeared to be agitated?
8 Yes ☐ No ☒
- 9 x. Did Mr. Cancilla reasonably fear for his own safety? Yes ☐ No ☒
- 10 xi. Did Mr. Cancilla reasonably fear for the safety of the other officers on scene?
11 Yes ☐ No ☒

12 Proceed to Question 2.

13
14 2. Has Steven Young proven that any of the following Defendants used excessive force
15 against him?

16 Daniel Cancilla: Yes ☐ No ☒
17 Steven Humrich: Yes ☐ No ☒

18 Proceed to Question 3.

19
20 3. Has Steven Young proven that Daniel Cancilla arrested him without probable cause?

21 Yes ☐ No ☒

22 Proceed to Question 4.

23
24 4. Has Steven Young proven that Steven Humrich unreasonably seized money from his
25 person?

26 Yes ☐ No ☒

27 If you answered "no" to Questions 1, 2, 3, and 4 as to both Defendants: stop, sign and date the
28 form, and return the form to the bailiff. If you answered "yes" for any question, as to either or

both Defendants, then answer Questions 5 and 6 as to that Defendant or those Defendants only. JW 2/26/20 2:12 PM

5. State the amount of damages proven by Steven Young.

Daniel Cancilla: Amount of damages: Costs of medical care, if any, that Young had to pay for ER services on 5/2/2017

Steven Humrich: Amount of damages: NONE

If Steven Young proved no actual damages, you must award nominal damages up to one dollar.

Proceed to Question 6.

6. Has Steven Young proven that either of the Defendants' conduct was malicious, oppressive, or committed in reckless disregard of his rights?

Daniel Cancilla: Yes ✓ No _____

Steven Humrich: Yes _____ No ✓

If you answered "no" as to both Defendants in Question 6: stop, sign and date the form, and return the form to the bailiff. If you answered "yes" as to either Defendant in Question 6, proceed to Question 7.

7. Do you award Steven Young punitive damages against either of the Defendants?

Daniel Cancilla: Yes ✓ No _____

Steven Humrich: Yes _____ No ✓

Dated: 2/26/20

JONATHAN WONG
Presiding Juror